

REMARKS

This application has been reviewed in light of the Office Action dated August 12, 2003. Claims 1-9, 14, 15, 17-34, 39, 40, 42-47, and 50-59 are presented for examination. Claims 1-9, 14, 15, 17-34, 39, 40, and 42-47 have been amended to define more clearly what Applicants regard as their invention. Claims 50-59 have been added to provide Applicants with a more complete scope of protection. Claims 1, 9, 26, and 34 are in independent form. Favorable reconsideration is requested.

Claims 1-9, 15, 19-21, 23, 24, 26-34, 40, 44, and 46 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,287,194 (*Lobiondo*) in view of U.S. Patent 5,692,111 (*Marbry et al.*). Claims 14, 39 and 47 were rejected under Section 103(a) as being obvious from *Lobiondo* and *Marbry et al.*, in view of U.S. Patent 5,859,711 (*Barry et al.*). Claim 22 was rejected under Section 103(a) as being obvious from *Lobiondo* in view of *Marbry et al.* in view of U.S. Patent 5,040,079 (*Shimizu*). Claim 25 was rejected under Section 103(a) as being obvious from *Lobiondo* in view of *Marbry et al.* and U.S. Patent 5,926,285 (*Takahashi*). Claims 17, 42 and 45 were rejected under Section 103(a) as being obvious from *Lobiondo* in view of *Marbry et al.* and U.S. Patent 6,298,173 (*Lopresti*), and claims 18 and 43 were rejected under Section 103(a) as being obvious from *Lobiondo* in view of *Marbry et al.* and U.S. Patent 6,184,999 (*Yoshida et al.*).

Applicants have amended independent claims 1 and 26 in terms that more clearly define the present invention. Applicants submit that these amended independent

claims, and new independent claims 9 and 34, together with the remaining claims dependent thereon, are patentable over the cited prior art for at least the following reasons.

The present invention is directed to providing a capability of setting parameters of peripherals and the like in an intelligent and flexible manner based at least in part on the content of a document. As described in the introductory portion of the present application, the parameters of peripherals are generally set either at the time of manufacture, or by a dialog between the user and the computer system, or (by default) by the computer system itself. Certain file transfer protocols do automatically take into account the form of a file to be transferred (for example, whether the file is binary or not), but do not otherwise take into account the content of a document in the file. The present invention intends to provide flexible and intelligent setting of parameters according to the content of a document.

The aspect of the present invention set forth in claim 1 is a device for determining the conditions for processing to be performed on a document in a file, by at least one input/output means which modulates a physical quantity. The device includes means for analyzing the content of the document in the file to determine values for characteristics of a list of characteristics of the document. The determined values comprise at least a proportion of text, a proportion of image, and a proportion of graphics zones in the document. The device also includes configuration determination means adapted, without modifying the document, to take into account the values of the characteristics of the list of characteristics of the document to determine a configuration of a pilot of the input/output means designated to implement the document processing.

Among the important features of claim 1 are means for analyzing content of the document in the file to determine values for characteristics of a list of characteristics, where the determined values comprise at least a proportion of text, a proportion of image, and a proportion of graphics zones in the document, and configuration determination means taking into account the values of the characteristics of the list of characteristics of the document, such as a proportion of text, a proportion of image, and a proportion of graphics zones in the document, to determine a configuration of a pilot of the input/output means designated to implement the document processing.

The applied art, alone or in combination, is not seen to disclose or suggest the invention as defined by independent claim 1, particularly with respect to determining a proportion of text, a proportion of image, and a proportion of graphics zones in the document as characteristics of the list of characteristics which are used to determine a configuration of a pilot of the input/output means designated to implement the document processing.

Lobiondo relates to a system of distributed printing, in which a scheduling routine utilizes a complex of printers available at various locations on a network to allocate and complete printing jobs (Column 2, lines 24-31). Criteria for the selection of a printer are related to the time when the job is desired to be completed (Column 3, line 53), the type of document (facsimile, email, etc.) (Column 3, line 61), the formatting of the document (sizing, margins) (Column 3, line 55), and the printer capabilities (color reproduction, special paper, simplex/duplex printing (Column 4, lines 49 and 50, and Column 5, line 55).

The printer selection criteria in *Lobiondo* are all entered by a user (Column 3, lines 56-60) who analyses the document.

However, nothing has been found in *Lobiondo* that would teach or suggest means for analyzing the content of a document in a file to determine values for characteristics of a list of characteristics of the document, where the determined values comprise at least a proportion of text, a proportion of image, and a proportion of graphics zones in the document. Further, nothing has been found in *Lobiondo* that would teach or suggest determining a configuration of a pilot of the input/output means designated to implement the document processing, taking into account the list of characteristic's values of the document, as recited in claim 1. Instead, the *Lobiondo* system merely teaches that selection of a printer is performed only "upon analysis of available printers and the entered criteria" (Column 6, lines 27 and 28).

Furthermore, on page 3 of the Office Action, it is specifically conceded that *Lobiondo* does not teach determining a configuration of a pilot of the input/output means.

For at least these reasons, independent claim 1 is believed clearly patentable over *Lobiondo*, taken alone.

Marbry et al. is cited in the Office Action as remedying the deficiency of failing to teach the feature of determining a configuration of a pilot of the input/output means. Applicants understand *Marbry et al.* as relating to automatic installation of printers in a distributed environment, intended to provide a point-and-print capability to users of the system. This capability permits a user to select any printer on the system to perform the user's print job, just by selecting that printer and requesting printing on it. The

retrieval of configuration information, and installation of the printer, is performed, without other intervention by the user, from a database maintained at a network server. In the course of this process, the configuration information and a printer driver are copied to a location that is local to the workstation, where the requested print job had been entered by the user (Column 3, lines 27-35). In addition, while *Marbry et al.* mentions that complete configuration information (if available) is retrieved from the server and provided to the workstation (Column 1, lines 55 and 56, and Column 2, lines 1-11), nothing has been found or pointed out in this patent, that would teach or suggest that the configuration information or the printer driver in any fashion takes into account a list of characteristics' values which include at least values of the proportion of text, proportion of image, and proportion of graphics zones in the document to be printed. The term "configuration information", used in *Marbry et al.*, merely relates to the information necessary for installing a printer, not for the configuration of the printer for printing a given document. As such, nothing has been found in *Marbry et al.* that would teach or suggest means for determining a configuration of a pilot of the input/output means designated to implement the document processing, taking into account the list of characteristic's values of the document, where the determined values comprise at least a proportion of text, a proportion of image, and a proportion of graphics zones in the document, as recited in claim 1.

By combining the teachings of *Lobiondo* and *Marbry et al.*, a person skilled in the art obtains a system whereby the selection of a printer on a network is based on document characteristics entered by a user, and installation on the user's workstation of the selected printer, if the selected printer was not locally installed. Therefore, even if

Lobiondo and *Marbry et al.* were to be combined in the manner proposed in the Office Action, assuming such combination would even be permissible, the resulting combination would fail to teach or suggest at least those features of claim 1.

Accordingly, Applicants submit that claim 1 is patentable over *Lobiondo* and *Marbry et al.*, whether considered separately or in combination.

The other cited art, *Barry et al.*, *Takahashi*, *Shimizu*, *Lopresti*, and *Yoshida et al.* do not remedy the deficiencies of *Lobiondo* and *Marbry et al.* with regards to means for analyzing content of the document in the file to determine values for characteristics of a list of characteristics, where the determined values comprise at least a proportion of text, a proportion of image, and a proportion of graphics zones in the document, and configuration determination means taking into account the list of characteristics' values of the document, to determine a configuration of a pilot of the input/output means designated to implement the document processing, as recited in claim 1.

Accordingly, Applicants submit that claim 1 is clearly patentable over the cited prior art.

Independent claim 26 is a method claim corresponding to device claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with claim 1. Additionally, independent claims 9 and 34 include the similar feature of estimating value amounts of the presence of text, image, and graphics zone in the document, and taking into account these value amounts in determining a pilot configuration of the input/output means intended to perform the document processing, as discussed above in connection with claim 1. Accordingly, Applicants submit that

independent claims 9 and 34 are patentable for reasons substantially similar to those discussed above in connection with claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ralph A. Cella", written over a horizontal line.

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